

CONGRESSIONAL RECORD SUMMARY

Tuesday, September 10, 2002

SENATE

Measures Introduced:

S. 2917. *A bill to enhance national efforts to investigate, prosecute, and prevent crimes against children by increasing investigatory tools, criminal penalties, and resources and by extending existing laws; to the Committee on the Judiciary.*

"...Third, the bill enhances the ability of federal prosecutors to bring and successfully prosecute cases involving children predators in several ways:..."

Hatch

Pages S 8456, S 8458-62

S. 2921. A bill to encourage Native contracting over the management of Federal lands, and for other purposes; to the Committee on Indian Affairs.

Campbell

Pages S 8456, S 8462-3

Executive Communications:

EC-8856. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, a draft of proposed legislation entitled "***Court Services and Offender Supervision Agency Interstate Supervision Act of 2002;***" to the Committee on Governmental Affairs.

EC-8857. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, a draft of proposed legislation entitled "***Court Services and Offender Supervision Agency Appointment Act of 2002;***" to the Committee on Governmental Affairs.

Page S 8454

H.R. 5005 - Homeland Security Act:

Senate continued consideration of H.R. 5005, to establish the Department of Homeland Security, taking action on the following amendments proposed thereto:

Pages S 8420-25, S 8431-33, D 912

Pending:

Lieberman Amendment No. 4471, in the nature of a substitute.

Pages S 8420-25, S 8431-33, D 912

Thompson/Warner Amendment No. 4513 (to Amendment No. 4471), to strike title II, establishing the National Office for Combating Terrorism, and title III, developing the National Strategy for Combating Terrorism and Homeland Security Response for detection, prevention, protection, response, and recover to counter terrorist threats.

Pages S 8420, S 8431, D 912

Senate will continue consideration of the bill on Thursday, September 12, 2002.

Page D 912

Nominations Received:

Glenn T. Suddaby, of New York, to be United States Attorney for the Northern District of New York for the term of four years.

Pages S 8474, D 912

Committee Meetings:

Committee on the Judiciary: *Committee concluded hearings to examine the implementation of the USA PATRIOT ACT, focusing on the expansion of the Foreign Intelligence Surveillance Act (FISA), to set up a court to review government applications to conduct secret wiretaps and searches inside the United States for the purpose of collecting foreign intelligence information, after receiving testimony from David Kris, Associate Deputy Attorney General, Department of Justice; Kenneth C. Bass III, Sterne, Kessler, Goldstein and Fox/Georgetown University Law Center, former Counsel for Intelligence Policy, Department of Justice, and Morton H. Halperin, Open Society Institute, former Counsel for Intelligence Policy, Department of Justice, both of Washington, D.C.; and William C. Banks, Syracuse University College of Law, Syracuse, New York.*

Page D 912

Remark:

The Nomination of Priscilla Owen.

"...What Republicans are really complaining about is not that a nominee who received a well-qualified rating was defeated, but that one of their nominees was defeated, regardless of her ABA rating. That is understandable. What is not understandable is their effort to distort the facts and the history of defeat of numerous other nominees of President Clinton who had the same rating as Justice Owen. Those ratings were no obstacle back then to Republican efforts to defeat those nominations, either through blocking hearings and votes or through attempts to defeat nominations in the Committee and on the floor. It was not due to lack of effort on their part that a nominee with a well-qualified rating was not actually voted down on their watch. In fact, dozens were defeated in far less public ways, but their nominations failed, nonetheless, and were returned to the President without confirmation. Additionally, I would like to respond to the notion that the vote against Justice Owen was somehow 'anti-woman.' Such a claim, as that made by Attorney General Ashcroft, is absurd. I recall that when John Ashcroft was in the Senate he voted against the confirmation of at least 11 judicial nominees of President Clinton and almost half of them are women who now sit on the federal bench..." (Leahy, pages S 8447-8452)

HOUSE

H.R. 3210. Motion to Instruct Conferees--Terrorism Risk Protection Act:

Agreed to the Fossella motion to instruct conferees on H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism and to agree to the provisions contained in section 11 of the Senate amendment, relating to satisfaction of judgments from frozen assets of terrorists, terrorist organizations, and state sponsors of terrorism by a yea-and-nay vote of 373 yeas with none voting "nay," Roll No. 379.

Pages H 6133-7, H 6138-9, D 913

H.R. 5011. Military Construction Appropriations:

The House disagreed with the Senate amendment to H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and agreed to a conference. Appointed as conferees: Representative Hobson, Walsh, Dan Miller of Florida, Aderholt, Granger, Goode, Skeen, Vitter, Young of Florida, Olver, Edwards, Farr of California, Boyd, Dicks, and Obey.

Pages H 6137, D 913

H.R. 5011. Military Construction Appropriations (Cont'd.):

Agreed to the Olver motion to instruct conferees to insist on the higher of House or Senate funding levels,

with regard to funding for planning, design, construction, alterations, and improvements of military facilities including environmental remediation, barracks, hospitals, childcare facilities, and family housing.

Pages H 6137, D 913

H.R. 5010. Department of Defense Appropriations:

The House disagreed with the Senate amendment to H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and agreed to a conference. Appointed as conferees: Representatives Lewis of California, Young of Florida, Skeen, Hobson, Bonilla, Nethercutt, Cunningham, Frelinghuysen, Tiahrt, Murtha, Dicks, Sabo, Visclosky, Moran of Virginia and Obey.

Pages H 6137-8, D 913

Agreed to the Olver motion to instruct conferees to insist on the higher funding levels permitted within the scope of conference with regard to chemical and biological defense programs, projects, and activities.

Pages H 6137-8, D 913

Agreed to close meetings of the conference at such times as classified national security information may be discussed providing that any sitting Member of Congress shall be entitled to attend to attend any meeting of the conference by a yeas-and-nays vote of 365 yeas with none voting "nay," Roll No. 378.

Pages H 6138, D 913-14

Executive Communications:

EC.-9018. *A letter from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting proposed legislation to authorize the Court Services and Offender Supervision Agency to appoint staff without regard to the provisions of title 5, U.S.C.; to the Committee on Government Reform.*

EC.-9020. *A letter from the Assistant Attorney General, Department of Justice, transmitting a legislative proposal to amend section 709 of title 18, U.S.C., regarding the unauthorized use of the name or initials of the F.B.I., the U.S. Marshals Service, or the D.E.A.; to the Committee on the Judiciary.*

Page H 6171

Committee Meetings:

Committee on Education and the Workforce: Subcommittee on Employer- Employee Relations held a hearing entitled "Retirement Security for American Workers: Examining Pension Enforcement and Accountability."

Committee on House Administration: Held a hearing on Capitol Security, Emergency Preparedness, and Infrastructure Upgrades since September 11th.

Committee on the Judiciary: *Ordered reported the following bills: H.R. 4600, amended, Help Efficient, Accessible, Low Cost, Timely Health Care (HEALTH) Act 2002; H.R. 4689, Fairness in Sentencing Act of 2002; S. 2690, amended, to reaffirm the reference to one Nation under God in the Pledge of Allegiance; H.R. 4125, amended, Federal Courts Improvement Act of 2002; and H.R. 4561, Federal Agency Protection of Privacy Act.*

Page D 914

Remark:

Bankruptcy Reform Legislation Kills Free Speech.

Pitts

Pages H 6132-3

Next SENATE MEETING: Wednesday, 11:00 a.m., September 11, 2002.
Next HOUSE MEETING: Wednesday, 12:00 p.m., September 11, 2002.

OLA: S. Schwarz, A. Santos